

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

AVIS ROBINSON

PETITIONER

V.

CIVIL ACTION NO. 3:14CV921 DPJ-FKB

MISSISSIPPI DEPARTMENT OF CORRECTIONS

RESPONDENT

ORDER

This action for a writ of federal habeas corpus is before the Court on the Report and Recommendation [9] of Magistrate Judge F. Keith Ball. Judge Ball recommended granting Respondent's unopposed motion to dismiss [8]. Robinson has not filed an Objection to the Report and Recommendation, and the time to do so has now passed. In addition, the Court notes that the docket reflects that the Report and Recommendation was returned as undeliverable [10], indicating that Robinson has failed to keep the Court informed of his current address.

The Court therefore adopts the unopposed Report and Recommendation [9] in its entirety. Respondent's motion to dismiss [8] is granted. For the reasons explained by Judge Ball, Robinson's claims regarding his federal incarceration are considered moot, and his claims challenging the state parole revocation are dismissed without prejudice for failure to exhaust his state remedies as required by 28 U.S.C. § 2254(b)(1).

A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

**SO ORDERED AND ADJUDGED** this the 7<sup>th</sup> day of May, 2015.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE